

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

HESTAL LIPSCOMB,	)	
	)	
Plaintiff,	)	
	)	
v.	)	C.A. No. 05-477-SLR
	)	
ELECTRONIC DATA SYSTEMS	)	JURY TRIAL DEMANDED
CORPORATION,	)	
	)	
Defendant.	)	

**AFFIDAVIT OF ALYSSA M. SCHWARTZ IN SUPPORT OF**  
**DEFENDANT ELECTRONIC DATA SYSTEMS CORPORATION'S**  
**MOTION FOR SUMMARY JUDGMENT**

STATE OF DELAWARE                    )  
  ) ss.  
NEW CASTLE COUNTY                )

Alyssa M. Schwartz, being duly sworn, deposes and says:

1. I am an attorney at law of the State of Delaware and associated with the firm of Richards, Layton & Finger, P.A.

2. I am counsel for EDS in the above-captioned matter. I submit this affidavit in support of Electronic Data Systems Corporation's ("EDS") Motion for Summary Judgment. All statements made in this affidavit are true and correct.

3. Attached hereto as Exhibit A is a true and correct copy of deposition excerpts of Hestal Lipscomb dated February 21, 2006.

4. Attached hereto as Exhibit B is a true and correct copy of the Screenshot summarizing Hestal Lipscomb's employment dates with EDS.

5. Attached hereto as Exhibit C is a true and correct copy of deposition excerpts of Lance Rogers dated April 12, 2006.

6. Attached hereto as Exhibit D is a true and correct copy of deposition excerpts of Barbara Jackson dated April 12, 2006.

7. Attached hereto as Exhibit E is a true and correct copy of excerpts of EDS' Delaware Account Handbook.

8. Attached hereto as Exhibit F is a true and correct copy of the Hestal Lipscomb Attendance Log for 2003.

9. Attached hereto as Exhibit G is a true and correct copy of the Hestal Lipscomb Attendance Log for 2004.

10. Attached hereto as Exhibit H is a true and correct copy of letters from Synchromy to Hestal Lipscomb dated April 10, 2003.

11. Attached hereto as Exhibit I is a true and correct copy of the Declaration of Barbara Jackson dated June 14, 2006.

12. Attached hereto as Exhibit J is a true and correct copy of deposition excerpts of Tracey Eaddy dated April 12, 2006.

13. Attached hereto as Exhibit K is a true and correct copy of a letter from Cigna Group Insurance to Hestal Lipscomb dated April 21, 2004.

14. Attached hereto as Exhibit L is a true and correct copy of excerpts from the EDS 2004 Employee Benefits Handbook.

15. Attached hereto as Exhibit M is a true and correct copy of a letter from Cigna Group Insurance to Hestal Lipscomb dated May 4, 2004.

16. Attached hereto as Exhibit N is a true and correct copy of the Return to Work Form dated May 17, 2004.

17. Attached hereto as Exhibit O is a true and correct copy of a letter from Cigna Group Insurance to Hestal Lipscomb dated May 20, 2004.

18. Attached hereto as Exhibit P is a true and correct copy of a letter from Cigna Group Insurance to Hestal Lipscomb dated June 2, 2004.

19. Attached hereto as Exhibit Q is a true and correct copy of the Termination Log.

20. Attached hereto as Exhibit R is a true and correct copy of deposition excerpts of Kimberlee Rudenn dated May 4, 2006.

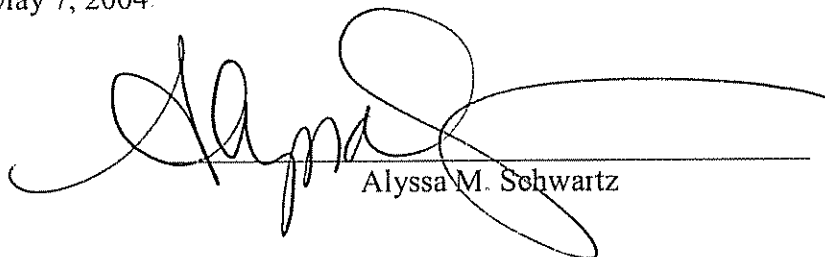
21. Attached hereto as Exhibit S is a true and correct copy of a letter from Cigna Group Insurance to Hestal Lipscomb dated June 17, 2004.

22. Attached hereto as Exhibit T is a true and correct copy of the STD Benefits Cover Sheet.

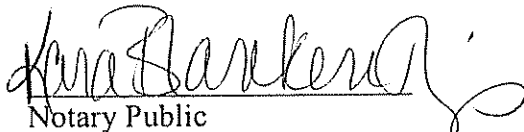
23. Attached hereto as Exhibit U is a true and correct copy of the Fax Confirmation Sheet dated June 21 2004.

24. Attached hereto as Exhibit V is a true and correct copy of the Declaration of Billie Andrade dated June 14, 2006.

25. Attached hereto as Exhibit W is a true and correct copy of a fax from Cigna Group Insurance dated May 7, 2004.

  
Alyssa M. Schwartz

Sworn to before me this  
15<sup>th</sup> day of June, 2006.

  
Notary Public

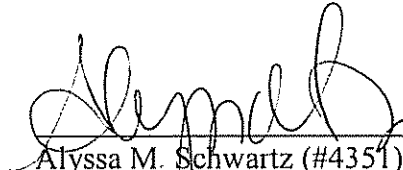
KARA J. BLANKENSHIP  
NOTARY PUBLIC  
STATE OF DELAWARE  
My Commission Expires May 9, 2007  
RLF1-3026495-1

**CERTIFICATE OF SERVICE**

I hereby certify that on June 15, 2006, I electronically filed the foregoing with the Clerk of Court using CM/ECF which will send notification of such filing(s) to the following and which has also been served as noted:

**BY U.S. MAIL**

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Smith Katzenstein & Furlow  
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Wilmington, Delaware 19899

  
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